

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TERRANCE JOE QUINLAN,

Plaintiff,

V.

JOHN CONATY,

Defendant.

C21-991 TSZ-JRC

## ORDER ADOPTING REPORT AND RECOMMENDATION

THIS MATTER comes before the Court on the Report and Recommendation

(“R&R”) of the Honorable J. Richard Creature, Chief Magistrate Judge, docket no. 37.

Having reviewed the R&R, Plaintiff's objections, docket nos. 41 and 45, and the

remaining record, the Court hereby finds and ORDERS:

(1) The R&R, docket no. 37, is ADOPTED, and the case is referred back to Judge Creatura for further proceedings;

(2) Defendant's motion to dismiss, docket no. 30, is GRANTED;

(3) Plaintiff's Fourth Amendment claim is dismissed with leave to amend.

ff must file any amended complaint within 30 days of this Order:

Plaintiff must file any amended complaint within 30 days of this Order;

1 (4) Plaintiff's Eighth Amendment claim and all claims brought in defendant's  
2 official capacity are dismissed without leave to amend;

3 (5) Plaintiff's "supplement" to his second amended complaint, docket no. 32, is  
4 STRICKEN;

5 (6) The Clerk is directed to send a copy of this Order to Plaintiff along with the  
6 appropriate forms for an incarcerated person to file a 42 U.S.C. § 1983 civil rights  
7 complaint. The Clerk is further directed to send a copy of this Order to counsel for  
8 Defendant and to Judge Creatura.

9 Dated this 21st day of July, 2022.

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13 Thomas S. Zilly  
14 United States District Judge  
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